

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007900-001 DT

03/22/2012

HONORABLE MICHAEL D. HINTZE
FOR JUDGE PRO TEM STEVEN K. HOLDING

CLERK OF THE COURT
P. M. Espinoza
Deputy

STATE OF ARIZONA

PAULA DIXON

v.

ANTHONY LEE ABERNATHY (001)
DOB: 02/09/1991
Booking No.: P820142

DAWNESE CHARLOTTE AGNICK

CORRECTIONAL HEALTH SERVICES
COURT ADMIN-CRIMINAL-CCC
COURT FORENSIC SERVICES UNIT
D.E.S. / D.D.D. - CENTRAL OFFICE
VICTIM SERVICES DIV-CA-CCC
CELIA DRAKE PH D
10000 NORTH 31ST AVENUE
SUITE C-202
PHOENIX AZ 85051

HEARING - RULE 11 - NOTICE OF APPOINTMENT
(Third Expert Appointed)

1:46 p.m.

Courtroom 2B-SCT

State's Attorney:	Juli Warzynski
Defendant's Attorney:	Dawnese Agnick
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time set for the Initial Rule 11 Competency Hearing.

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The Court having been informed that the experts' opinions are split in this matter,

On the Court's own motion,

IT IS ORDERED appointing Dr. Celia Drake to conduct a third evaluation of the above named defendant pursuant to Arizona Rules of Criminal Procedure 11.3 and A.R.S. § 13-4509.

The Defendant is charged with the crime(s) of: Count 1: Molestation of Child, a class 2 felony, committed on or about between 10/01/08 & 01/31/09.

The Defendant is represented by: Dawnese Agnick, 506-7711.

The Defendant is in custody and housed at the 4th Avenue Facility and the booking number is P820142.

IT IS ORDERED that counsel for the defendant shall provide the above-named experts with all police reports, charging documents, the competency screening evaluation report, and all other available medical, mental health and criminal history records within three judicial days of this date.

IT IS FURTHER ORDERED that counsel shall make appointments on the Defendant's behalf with the above-named experts if not in custody.

IT IS FURTHER ORDERED that the experts submit their signed original reports to the Superior Court Forensic Unit no later than 04/16/12.

IT IS FURTHER ORDERED that a competency hearing is set before Judge Pro Tem Steven Holding on **April 19, 2012 at 1:30 p.m.**, in Courtroom 2B of the South Court Tower at 175 W. Madison, Phoenix, AZ.

IT IS FURTHER ORDERED that Correctional Health Services permit the mental health expert(s) to view the Defendant's medical file retained in the Maricopa County Jail.

The Court having reviewed this matter determines it is necessary to know whether this Defendant is receiving any behavioral health services. Accordingly,

IT IS ORDERED that Magellan Health Services disclose whether this Defendant is enrolled in Magellan Health Services and provide additional information as requested herein.

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The Court Liaison from Magellan Health Services informs the Court that the Defendant is enrolled with D.D.D.

IT IS FURTHER ORDERED affirming prior custody orders.

1:47 p.m. Matter concludes.